IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8717 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE K.A.PUJ

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RAMESHBHAI R MAHIDA

Versus

KHEDA DISTRICT PANCHAYAT

Appearance:

MR. D.C. Ravalfor Petitioner.

Ms. Nita Panchal, for MR ND NANAVATI for Respondent.

NOTICE SERVED for Respondent No. 2

CORAM : MR.JUSTICE K.A.PUJ

Date of decision: 21/02/2002

ORAL JUDGEMENT

Heard Mr. D.C. Raval, learned advocate appearing for the petitioner and Ms. Nita Panchal, learned advocate appearing for the respondent. The petitioner in this petition has challenged the order at Annexure "B" passed by the District Education Officer, Kheda District Panchayat, Nadiad, on 14-12-1990 reverting the petitioner from the post of Headmaster/Taluka Master

to the lower post,i.e., post of Teacher. At the time of admission of this petition, this Court has passed an order granting interim relief in terms of Para 12 and would operate only if the petitioner was working as Headmaster. Thereafter, the order of status-quo was passed on 19-12-1990. At the time of hearing of this petition, it is brought to my notice that the petitioner had entered the service on 22nd November 1954 as stated in Para 2 of the petition. A period of more than 47 years has been elapsed and hence by now the petitioner must have retired from the service. In view of this fact, nothing survives in this petition and this petition has become infructuous. The petition is, therefore, rejected. Rule is discharged with no order as to costs.

2. However, liberty is granted to the petitioner to revive this petition in case of any difficulty.

rmr. [K.A. Puj, J.]